PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:	**PCT**
see form PCT/ISA/220	**WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY** **(PCT Rule 43bis.1)**

	Date of mailing *(day/month/year)* see form PCT/ISA/210 (second sheet)
Applicant's or agent's file reference see form PCT/ISA/220	**FOR FURTHER ACTION** See paragraph 2 below

International application No. PCT/GB2004/005275	International filing date *(day/month/year)* 16.12.2004	Priority date *(day/month/year)* 23.12.2003

International Patent Classification (IPC) or both national classification and IPC
G06F1/00, H04L29/00

Applicant
SYMBIAN SOFTWARE LIMITED

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1. This opinion contains indications relating to the following items:

    ☒ Box No. I   Basis of the opinion

    ☐ Box No. II   Priority

    ☐ Box No. III   Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

    ☐ Box No. IV   Lack of unity of invention

    ☒ Box No. V   Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

    ☐ Box No. VI   Certain documents cited

    ☐ Box No. VII Certain defects in the international application

    ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

    If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notifed the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

    If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

    For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:	Authorized Officer
European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Bichler, M Telephone No. +49 89 2399-6073

Form (PCT/ISA/237) (Cover Sheet) (January 2004)

Box No. I   Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

   ☐ This opinion has been established on the basis of a translation from the original language into the following language   , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

   a. type of material:

   ☐ a sequence listing

   ☐ table(s) related to the sequence listing

   b. format of material:

   ☐ in written format

   ☐ in computer readable form

   c. time of filing/furnishing:

   ☐ contained in the international application as filed.

   ☐ filed together with the international application in computer readable form.

   ☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

Box No. V   Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or Industrial applicability; citations and explanations supporting such statement

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1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1-11
Inventive step (IS)	Yes: Claims	
	No: Claims	1-11
Industrial applicability (IA)	Yes: Claims	1-11
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V.

1   Reference is made to the following documents:
D1 :   WO 03/007570 A (RESEARCH IN MOTION LIMITED; LITTLE, HERBERT, A;
        KIRKUP, MICHAEL, G) 23 January 2003 (2003-01-23)
D2 :   US 5 913 025 A (HIGLEY ET AL) 15 June 1999 (1999-06-15)
D3 :   EP 0 580 350 A (DIGITAL EQUIPMENT CORPORATION) 26 January 1994
        (1994-01-26)

2   The present application does not meet the criteria of Article 33(1) PCT, because the
subject-matter of claims 1, 9 and 11 is not new in the sense of Article 33(2) PCT.

2.1   Document D1 discloses the features of independent claim 1 as follows:
A method of operating a computing device, the method comprising, in response to a
request from a user to carry out an operation using the device [abstract, in particular
"... in order to decrypt the encrypted content when the encrypted message is
subsequently accessed], determining the time period since the identity of the user
was authenticated, and enabling the requested operation in dependence upon the
determined time period [page 16, lines 5-6, "The decrypted key may be stored for
only a particular period of time"] and the purpose of the requested operation [page
16, lines 16-18, in particular "the text Top Secret in an e-mail subject line may be
detected ... and prevent the decrypted session key from being stored"].

2.2   The same reasoning applies, mutatis mutandis, to the subject-matter of the
corresponding independent claims 9 and 11, which therefore are also considered not
new.

2.3   Dependent claims 2-8 and 10 do not contain any features which, in combination with
the features of any claim to which they refer, meet the requirements of the PCT in
respect of novelty and inventive step, see documents D1-D2 and the corresponding
passages cited in the search report.